

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

JOSHUA R. GOMEZ,

Plaintiff,

Case No. 2:23-cv-41

v.

ALICIA LOVATO,

Defendant.

HON. JANE M. BECKERING

**ORDER**

This is a civil action filed by an individual who is incarcerated. On May 3, 2023, the Magistrate Judge issued a Report and Recommendation (ECF No. 9), recommending that the action be dismissed because Plaintiff has failed to establish that this Court has jurisdiction over the issue raised in this matter. The Report and Recommendation was duly served on Plaintiff.<sup>1</sup> No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF. No. 9) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Complaint is DISMISSED for the reasons stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith because Plaintiff failed to file any

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<sup>1</sup> Plaintiff is the only party that has appeared in the case at this time.

objections. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: June 1, 2023

/s/ Jane M. Beckering  
JANE M. BECKERING  
United States District Judge